

## **TITLE 327 WATER POLLUTION CONTROL BOARD**

### **#98-274(WPCB)**

#### **SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD**

The Indiana Department of Environmental Management (IDEM) requested public comment from May 1, 2000, through May 31, 2000, on IDEM's draft rule language. IDEM received comments from the following party by the comment period deadline:

Indianapolis Water Company (IWC)

Following is a summary of the comments received and IDEM's responses thereto:

*Comment:* It is recommended that section 3.2 (a) of the amendments to 327 IAC 8-12 allow an operator in training (O.I.T.) to hold a provisional certificate for a maximum period of eighteen (18) months while working under the oversight of a certified operator until the O.I.T. has the opportunity to pass the O.I.T. exam. A provisionally certified O.I.T. should not be allowed to accrue any applicable work experience until the employee gains the O.I.T. certification. A provisional O.I.T. certificate such as this would address the need of water utilities to train new operators in an ongoing basis as is necessary given the reality of employee turn over.

*Response:* IDEM believes that the O.I.T. provides increased flexibility to water systems in hiring new employees. IDEM feels, however, that it is necessary for the individual to pass an examination prior to operating a shift as a certified operator. The O.I.T. allows for a new staff member to be qualified in every aspect except hands on training. It is necessary that a person operating a shift must have an adequate understanding of plant operations and chemistry as demonstrated by passing the certification exam. New staff at a public water system can still perform duties and gain acceptable experience without O.I.T. certification as long as they are working under the supervision of a properly certified operator on duty. IDEM does not believe that a provisional certification to allow an O.I.T. to operate a shift without having passed the O.I.T. certification exam would not be adequately protective of human health. A provisional certification that is in place under this rule will allow a system having no operator due to circumstances beyond the system's control, to name a current employee or other person meeting the education and experience requirements to act as certified operator until the next test date. It is not intended to allow personnel who do not meet the experience and education requirements to operate systems.

*Comment:* In addition to helping an O.I.T. who has not yet taken the O.I.T. certification exam, this recommended provisional O.I.T. certificate could also serve O.I.T. applicants who do not pass the certification exam and, according to the draft rule language, cannot renew the O.I.T. certification thereby effectively banishing them from working in the water utility. (IWC)

*Response:* The O.I.T. certification is obtained only by passing the certification exam. IDEM feels that it

is necessary for an individual to pass an examination prior to operating a shift as a certified operator. The O.I.T. allows for new staff members to be qualified in every aspect except hands on training. It is necessary that a person operating a shift must have an adequate understanding of plant operations and chemistry as demonstrated by passing the certification exam. There is no need to renew an O.I.T. certification because, at the time that the O.I.T.'s supervisor verifies that the required experience has been met, the O.I.T. certification is transferred to a normal certification for that grade. A person who fails an examination may still work at a utility and gain acceptable experience. However, that person can not act as a certified operator as required by rules and statutes.

*Comment:* The draft rule language concerning an O.I.T. prohibits an O.I.T. from working at more than one (1) plant. A water utility may have multiple plants and need to utilize operators in relief to cover vacations, illnesses, and similar situations causing the absence of a full time operator. It is recommended that the draft rule language be modified to allow the certification of an O.I.T. for work at multiple plant in the same public water system as long as the additional plants are of the same or less complex classification. (IWC)

*Response:* 327 IAC 8-12-3.2(a)(2)(C)(ii) of the draft rule states "An O.I.T. may not transfer an O.I.T. certification to a water treatment plant or distribution system other than the facility for which the certification was issued." This draft rule language was not intended to prohibit an O.I.T. from operating another plant within an individual utility's system that is of the same or less complex classification and allowed in the rules. Additional language has been added to the draft rule to clarify that an O.I.T. may operate more than one (1) plant as long as it is under the same Public Water System Identification Number (PWSID).

*Comment:* 327 IAC 8-12-3.2(e) is a change from the existing rule that has allowed a public water supply certified operator to treat wastewater at the plant where certification is held. The draft rule language states a Grade WT 3, Grade WT 4, and a Grade WT 5 operator is qualified to apply for the appropriate wastewater treatment certification under 327 IAC 5-22. It is recommended that the existing rule language be retained or, as an alternative, provide grandparenting for the needed wastewater certification. (IWC)

*Response:* Certification requirements to operate a wastewater treatment plant are under the authority of the wastewater operator certification program. That program determines the necessary training, education, and experience requirements to obtain certification. Based on wastewater certification requirements, it is accepted that Grades WT 3, WT 4, and WT 5 operators are qualified to apply for the appropriate wastewater treatment certification.